

AMENDED IN ASSEMBLY AUGUST 7, 2006

AMENDED IN SENATE MAY 26, 2006

AMENDED IN SENATE APRIL 17, 2006

SENATE BILL

No. 1777

Introduced by Senator Alarcon

February 24, 2006

An act to add and repeal Section 42926 of the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

SB 1777, as amended, Alarcon. Juvenile court schools: foster children: educational services funding.

~~(1)~~ Existing law requires the county board of education to provide for the administration and operation of juvenile court schools, as defined.

This bill, until January 1, 2012, would require the Superintendent of Public Instruction to establish a process to accept and review applications from county offices of education and school districts for funding under the bill and would require the Superintendent to approve an application for funding only if the applicant agrees to comply with specified requirements and is either (1) a county office of education that provides educational services through a juvenile court school to a foster child, as specified, or (2) a school district or county office of education that provides educational services to a pupil who is a foster child transferring to the school district or county office of education from a juvenile detention hall or probation camp and has received educational services through a juvenile court school.

~~This bill, until January 1, 2012, would require each county office of education operating a juvenile court school to designate staff persons as transition counselors to provide specified services to foster children being released from a juvenile detention facility and transferring to public school, thereby imposing a state-mandated local program. The bill, commencing with the 2006–07 fiscal year, until and including the 2010–11 fiscal year, would require each county office of education that provides educational services, as specified, through a juvenile court school to pupils identified as foster children, as provided, to receive an allowance, as specified.~~

~~The bill, commencing with the 2006–07 fiscal year, until and including the 2010–11 fiscal year, would require each school district or county office of education that provides educational services to a pupil who is a foster child transferring to the school district or county office of education from a juvenile detention hall or probation camp and has received educational services through a juvenile court school to receive the same funding described above for a period of at least 6 months, but not greater than one year, after the pupil's enrollment in the school district or county office of education. The bill would prohibit a school district from receiving the specified allowance *funding* for pupils for whom it has received funding pursuant to specified provisions of existing law authorizing funding of school district educational services provided to foster children.~~

~~The bill would limit funding to county offices of education and school districts for purposes of the bill to amounts specifically appropriated in the annual Budget Act. The bill would authorize county offices of education and school districts to apply to the Superintendent of Public Instruction for funding for providing educational services to foster children. The bill would require the Superintendent, on or before November 1 of each year, to provide the Governor with a proposed amount to be included in the Governor's proposed budget for the ensuing fiscal year for allocation to school districts and county offices of education that decide to provide educational services to foster children.~~

~~The bill would specify the total funding for these provisions to be an amount of not more than \$5,000,000, to be allocated in the amount of not more than \$1,000,000 per fiscal year during the 2006–07, 2007–08, 2008–09, 2009–10, and 2010–11 fiscal years.~~

~~The bill would require the State Department of Education, on or before January 1, 2012, to submit a report to the Legislature~~

evaluating the effectiveness of the additional funding provided under the bill in accomplishing the purposes of the bill.

~~(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: ~~yes~~ no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 42926 is added to the Education Code,
2 to read:
3 42926. (a) The Legislature finds and declares all of the
4 following:
5 (1) It is essential to recognize, identify, and plan for the
6 critical and unique needs of foster children residing in juvenile
7 halls, camps, and ranches, and other settings served by juvenile
8 court schools.
9 (2) A high percentage of these foster children are performing
10 substantially below grade level, are being retained at least one
11 year in the same grade level, and become school dropouts.
12 (3) The provision of effective and potentially cost-saving
13 instruction, counseling, tutoring, and related services for foster
14 children must be a state priority.
15 (b) Accordingly, it is the intent of the Legislature, in enacting
16 this section, to provide additional funding to county offices of
17 education and school districts that provide educational services to
18 these pupils. It is also the intent of the Legislature that the
19 per-pupil funding limit for foster children enrolled in juvenile
20 court schools be removed after January 1, 2010, and be adjusted
21 to reflect the appropriate per-pupil funding for the number of
22 foster children enrolled in juvenile court schools.
23 (c) (1) *The Superintendent shall establish a process to accept*
24 *and review applications from county offices of education and*
25 *school districts requesting funding under this section.*

(2) *The Superintendent shall approve an application for funding only if the applicant agrees to comply with subdivision (d), as applicable, and is either of the following:*

(A) *A county office of education that provides educational services through a juvenile court school to a foster child who has been removed from his or her home under Section 309 of the Welfare and Institutions Code, or is the subject of a petition filed under Section 300 of the Welfare and Institutions Code, or has been removed from his or her home and is the subject of a petition filed under Section 300 of the Welfare and Institutions Code.*

(B) *A school district or county office of education that provides educational services to a pupil who is a foster child transferring to the school district or county office of education from a juvenile detention hall or probation camp and has received educational services through a juvenile court school.*

~~(e)–~~

(d) ~~Each county office of education operating that receives funding under this section and operates a juvenile court school shall designate staff persons as transition counselors who shall do all of the following:~~

(1) ~~Encourage foster children to continue their education after release from the juvenile detention facility.~~

(2) ~~Assist foster children when transferring from juvenile court school to a public school that would be in the best interests of the foster child.~~

(3) ~~Coordinate with the educational liaison of the school district to ensure and facilitate proper educational placement and enrollment in the public school.~~

~~(d)~~

(e) ~~The educational services provided to foster children pursuant to subdivision (b) (d) shall include tutoring, education counseling, and assistance when transitioning from juvenile court school to public school.~~

~~(e)~~

(f) ~~Commencing with the 2006–07 fiscal year, until and including the 2010–11 fiscal year, each county office of education that provides educational services through a juvenile court school to pupils who were previously identified as foster children pursuant to Section 300 of the Welfare and Institutions~~

1 ~~Code shall receive, in addition to the education that is selected~~
2 ~~for funding under this section shall receive, in addition to the~~
3 base revenue limit, an allowance from the amount annually
4 transferred to Section A of the State School Fund.

5 ~~(f)~~

6 (g) Commencing with the 2006–07 fiscal year, until and
7 including the 2010–11 fiscal year, each school district or county
8 ~~office of education that provides educational services to a pupil~~
9 ~~who is a foster child transferring to the school district or county~~
10 ~~office of education from a juvenile detention hall or probation~~
11 ~~camp and has received educational services through a juvenile~~
12 ~~court school office of education that is selected for funding under~~
13 *this section* shall receive the same funding provided under
14 subdivision ~~(e)~~ (f) for a period of at least six months, but not
15 greater than one year, after the enrollment of the pupil in the
16 school district or county office of education. A school district
17 shall not receive funds under this subdivision for pupils for
18 whom it has received funding pursuant to Section 42920.5 or
19 42922.

20 ~~(g)~~

21 (h) A school district or county office of education that
22 provides educational services to foster children who transition to
23 public school pursuant to this section, *and is selected for funding*
24 *under this section*, shall receive funding in any fiscal year for
25 those services only from amounts that may specifically be
26 appropriated by the Legislature in the annual Budget Act for that
27 fiscal year for the support of those school centered foster children
28 services that provide program effectiveness and potential cost
29 savings to the state.

30 ~~(h) A school district or county office of education that~~
31 ~~provides educational services to foster children pursuant to this~~
32 ~~section may apply to the Superintendent for funding for those~~
33 ~~services.~~

34 (i) On or before November 1 of each year, the Superintendent
35 shall provide the Governor with a proposed amount to be
36 included in the proposed budget of the Governor for the ensuing
37 fiscal year for allocation to school districts and county offices of
38 education that decide to provide educational services to foster
39 children pursuant to this section.

(j) Total funding authorized pursuant to this section shall be limited to an amount of not more than five million dollars (\$5,000,000), to be allocated in the amount of not more than one million dollars (\$1,000,000) per fiscal year during the 2006–07, 2007–08, 2008–09, 2009–10, and 2010–11 fiscal years.

(k) On or before January 1, 2012, the department shall submit a report to the Legislature evaluating the effectiveness of the additional funding provided under this section in accomplishing the purposes of this section.

(l) This section shall remain in effect only until January 1, 2012, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2012, deletes or extends that date.

~~SEC. 2.—If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.~~

CORRECTIONS:

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